

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JACOB PADIN,

Defendant.

20-CR-135-5 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

Defendant Jacobb Padin is a 25-year-old with asthma detained at the Essex County Correctional Facility, awaiting trial on charges of racketeering conspiracy, narcotics conspiracy, and possession and use of a firearm in aid of a narcotics conspiracy. On March 26, 2020, Defendant moved for temporary release on bail pursuant to 18 U.S.C. § 3142(i), which allows for temporary pre-trial release for a “compelling reason.”

The motion is a close one in view of the nature of the charges and evidence of the Defendant’s interest in, and access to, firearms. Nevertheless, upon review of the parties’ submissions, including supplemental medical records submitted by Defendant yesterday, the Court GRANTS Defendant’s motion and orders him temporarily released on bail. In particular, in light of the dire circumstances presented by COVID-19; Defendant’s asthmatic condition, which exposes him to heightened risk in the event that he contracts the disease; and his lack of substantial criminal history, the Court finds, albeit narrowly so, that a “compelling reason” justifies Defendant’s “temporary release” to the “custody of” an “appropriate person.” *See* 18 U.S.C. § 3142(i). Accordingly, the Court imposes the following bail conditions:

- \$50,000 personal recognizance bond signed by Mr. Padin, who may affix his signature remotely within three hours of his release, and co-signed by two financially responsible persons, who may sign the bond remotely within one

business day of Mr. Padin's release;

- 24-hour home incarceration at Mr. Padin's mother's residence, subject to approval by Pre-Trial Services, and enforced by location monitoring technology to be determined by Pre-Trial Services. Mr. Padin may only leave his residence for necessary medical services. All other leave from the residence must be submitted through defense counsel for the Court's approval;
- No visitors to Mr. Padin's mother's residence except family members;
- Unless otherwise approved by the court, the location monitoring equipment shall be installed no later than fourteen days after release during which time Mr. Padin shall self-quarantine in his mother's residence;
- Ten days after his release, Mr. Padin shall call Pre-Trial Services to arrange for location monitoring equipment;
- If approved by Pre-Trial Services, Mr. Padin is permitted to self-install the location monitoring equipment selected by Pre-Trial Services under the direction and instruction of Pre-Trial Services;
- Mr. Padin must purchase or obtain an iPhone with FaceTime capabilities within two weeks of his release for remote/virtual monitoring by Pre-Trial Services;
- Mr. Padin shall comply with all other standard conditions of supervised release (e.g., shall not commit other crimes, possess a firearm, etc.);
- Mr. Padin shall surrender any personal travel documents not already in the possession of Pre-Trial Services and make no new applications for travel documents;
- Pre-Trial Services supervision as directed in the Southern District of New York;
- Mr. Padin must immediately disclose to Pre-Trial Services when any cohabitant of his mother's residence, including himself, becomes symptomatic of any illness, and must report at the direction of Pre-Trial Services.


The Government shall immediately make arrangements for Mr. Padin and the two financially responsible persons to sign the bond and for Mr. Padin to be released. Defense counsel shall promptly make arrangements, with the Government's cooperation, to transport Mr. Padin to his mother's residence.

Defendant shall surrender to the U.S. Marshals at 500 Pearl Street by 2:00 p.m. on June 7, 2020, unless the Court finds prior to that date — pursuant to a letter motion filed by Defendant — that “compelling” reasons still exist to extend the Defendant’s release.

The Clerk of Court is directed to terminate ECF No. 53.

SO ORDERED.

Dated: April 8, 2020
New York, New York

A handwritten signature in black ink, appearing to read 'Jesse M. Furman', written over a horizontal line.

JESSE M. FURMAN
United States District Judge